

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S,	)	
	)	
Plaintiff,	)	C.A. No. 05-614 (SLR)
	)	
v.	)	
	)	
ACAMBIS INC. and ACAMBIS plc,	)	
	)	
Defendants.	)	

**RULE 30(b)(6) NOTICE OF DEPOSITION TO BAVARIAN NORDIC**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6), Defendants Acambis plc and Acambis Inc. (collectively "Acambis") will take the deposition upon oral examination of individual(s) to testify on behalf of Plaintiff Bavarian Nordic A/S ("Plaintiff" or "BN"). The deposition will commence on July 31, 2006, at 9:00 a.m. at the law offices of Bingham McCutchen LLP, The Washington Harbour, 3000 K Street, N.W. Suite 300, Washington D.C. 20007, or at a time and place to be agreed upon by counsel for the parties.

Plaintiff is requested to designate one or more officers, directors, managing agents or other persons to testify on its behalf on the topics identified in Exhibit A attached hereto.

The deposition will be taken before a person having the power to administer oaths by the laws of the United States, or of the place where the examination is held, and will continue from day to day until completed. The deposition may be videotaped.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Rodger D. Smith II*

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July 21, 2006  
529746

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2006, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

John W. Shaw, Esquire  
Young Conaway Stargatt & Taylor, LLP

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on July 21, 2006, upon the following individuals in the manner indicated:

**BY HAND**

John W. Shaw, Esquire  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building  
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Wilmington, DE 19801

**BY FEDERAL EXPRESS**

Edward A. Pennington, Esquire  
Bingham McCutchen LLP  
3000 K Street, N.W., Suite 300  
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/s/ Rodger D. Smith II

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